(1) (4)

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 2824 /2004

PETITIONER : Y.K.Shukla, aged about 41 years, S/o. Shri P.K.Shukla, working as Sub-Engineer, Rural Engineering Service (RES) Office of Janpad Panchayat Nagari (Sihava)) Distt. Dhamtari (C.G.).

P.R. No. 285/24
Presented by Smt. Faujia Malik
24-8-24

Versus

RESPONDENTS

1) State of Chhattisgarh, through Secretary, Department of Panchayat Evam Gramin Vikas Vibhag, D.K.S. Bhawan, Raipur (C.G.)

2) The Development Commissioner, Raipur Division, Raipur (C.G.)

3) The Executive Engineer, Department of Rural Engineering Service, Office of the Commissioner, Raipur Division, Raipur (C.G.)

नपथ आयुक्त
20/8/24

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.NO.2824/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	15.9.2004 Smt. Fouzia Mirza, counsel for the petitioner. Shri Sumesh Bajaj, Deputy Government Advocate for the State/ respondents. Heard both the counsel. By this petition under Article 226/227 of the Constitution of India, the petitioner has questioned his transfer order dated 17.8.2004, whereby the Deputy Secretary, Government of Chhattisgarh, Panchayat Evam Gramin Vikas Vibhag, Chhattisgarh, has transferred the petitioner from Nagari Sihava, District: Dhamtari to Fingeshwar, District: Raipur. The petitioner is working as Sub-Engineer in the Department of Rural Engineering Service. The case of the petitioner is that the respondent State has appointed the petitioner to function under the 'Hariyali Pariyojana', a Five Year Plan, which commenced with effect from 2.12.2003 as per Annexure P-1, therefore, he ought to have been allowed to continue there for five years. There are Government orders that the employees who are working under the Hariyali Pariyojana should not be transferred. Learned counsel for the petitioner submits that the petitioner's wife is also working at Nagari Sihava, therefore, on these two grounds, his transfer is bad. She further submits that even a representation against the transfer taking these grounds was made by the petitioner, but that has not been considered and decided by the respondents. Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the respondents are directed to	

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(33)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No 2824/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	decide the representation already made by the petitioner considering all the points raised by him within a period of three weeks from the date of receipt of copy of this order. Till the decision of the representation, the petitioner, if already not relieved should not be relieved. With the above directions, the petition stands disposed of. Consequently, M.(W.)P.No.2494/2004 and I.A.No.6156/2004 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	